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A Newspaper, Devoted to the Mineral, Agricultural and Commercial Interests of Montana Territory.

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LEGISLATURE --- THIRD SESSION.

House of Representatives.

Virginia City, Nov. 5th—12 M. Gen. Meagher, Secretary of the Territory, called the House to order, and read the pro-clamation of Gov. Smith, declaring that cer-tain persons had been duly elected members

On motion of Mr. Mayhew of Deer Lodge, Mr. Smith of Beaverhead was elected Speaker

pro tem.
On motion of Mr. Mimms of Edgerton, A. H. Barret was elected Clerk pro tem.
On motion of Mr. Maylew, Rocky Thomas
was elected Sergeant-at-Arms pro tem.
On motion of Mr. McCullough of Madison,
Wm. Deascey was elected Doorkeeper pro tem.

A committee of three, consisting of Messrs. Mayhew, McCullough and Buck, was appointed to examine and report upon the credentials of the members. The House then adjourned to meet at 2 o'clock p. m.

AFTERNOON SESSION.
The House met pursuant to vote, Mr. Smith of Beaverhead in the chair. Mr. Mayhew, chairman of the Committee on Credentials, submitted a report, which was adopted on motion of Mr. Johnson of Mis-

The oath of office was then administered to the members by Judge Stafford of Virginia.
The roll was called by the clerk, and a

norum answered to their names.

The House then proceeded to vote viva voce for a Speaker, with the following result: 1st ballot—A. E. Mayhew, 10; J. H. Rogers, 7; R. W. Mimms, 4.

There being no choice, the House proceeded to a second ballot: Mayhew, 13; Rogers, 4;

Mr. Mayhew having received a majority of the votes cast, was elected. The following members voted for Mr. May-hew: Messrs. Blakely, Buck, Clanton, Esler, Gorham, Johnson, Jordan, McMannus, Mc-Murtey, Roach, Rogers, Smith and Wylie. Messrs. Donegan, Mayhew, McCullough and Minuns, voted for Roders.

Mimms, voted for Rodgers.
Messrs. Andrews, Gallagher, Rhodes and Van Hagan, voted for Mimms.

Mr. Mayhew was conducted to the chair by Messrs. Rogers and Mimms, and accepted the

position in an appropriate speech, in which he declared his intention to perform his duties impartially. ⇒ The House then elected A. H. Barret, Clerk; J. K. Duke, Assistant Clerk; Robert Hedges, Engrossing Clerk; Jesse McCailen, Enrolling Clerk; Rocky Thomas Sergeant-at-Arms; W. Deascey, Doorkeeper; E. Wood, Fireman; D. Andrews and Albert Crow, Pages.

On motion of Mr. Smith the rules of the

House of the previous Legislature were adopted, until others are enacted. The House voted to elect a Chaplain, and

Hugh Duncan was chosen.
On motion of Mr. McCullough the thanks of the House, the Council concurring, were tendered to Secretary Meagher for the com-modious and neatly fitted rooms that have been provided for the use of the House and

A committee of three, consisting of Messrs. Smith, Buck and Gallaher, was appointed to wait upon the Council and request that body to meet with the House to-morrow at 10 o'clock A. M. to hear the Governor's message. On motion of Mr. McCullough of Madison, it was voted that any member who shall receive a fee for performing any of his duties, shall be subject to expulsion from the House. On motion of Mr. Smith, it was voted that

the reporters of the press of the Territory be allowed seats in the House. On motion of Mr. McCullough, a committee of three was appointed to wait upon the Governor and notify him that the House had The House then adjourned to meet at 10

o'clock A. M. to-morrow.

COUNCIL At 12 s. Secretary Meagher called the Council to order, after reading Governor Smith's proclamation convening the same. The memrs were sworn into office by Judge William Y. Lovell, and took their seats.

On motion of Mr. Waterbury, Mr. Wilkin-son was elected President pro tem, and Judge Lovell as Clerk pro tem.
On motion of Mr. Chiles, J. B. Caven was elected Sergeant-at-Arms pro tem. E. S. Calhoun was elected Assistant Clerk

Proceeding to business, on motion of J. M. Waterbury, Hon. Charles S. Bagg was elected by acclamation as President of the Council, and conducted to the chair by a committee composed of Messrs. Chiles, Waterbury and

The Council was then organized by selecting from a host of candidates the following per anent, officers: Chief Clerk, William Y. Lov manent, officers: Chief Clerk, William Y. Lovelo; Rassistant Clerk, Charles E. V. Lovejoy; Engrossing Clerk, C. C. Menaugh; Enrolling Clerk, F. W. A. Cunningham; Sergeant-at-Arms, J. Buzz Caven; Doorkeeper, Henry Catlet; Fireman, Sylvester Chamberlain; Page, Master Johnny Daley.

On motion the President appointed Messrs.

Williamson, Moore and Orr a committee to inform the House of the permanent organiz-

ation of the Council. On motion Messrs. Chiles, Phelps and Waterwere appointed a committee to report rules for the government of the Council.
On motion of Mr. Waterbury, the Council adjourned until to-morrow at 100 clock A. M.

House of Representatives. SECOND DAY-Nov. 6, 1866.

The House was called to order at 10 o'clock A. M. Speaker Mayhew in the chair, and a quorum answered to their

On motion of Mr. Mimms a committee of three, consisting of Messrs. Mimms. Smith and Johnson, was appointed to prepare rules for the House. Mr. McMurtry of Deer Lodge, present

ed the remonstrance of Joseph A. Brown of Beaverhead, against the right of Mr. Essler to hold his seat, and claimed that he was duly elected to the same. Messrs. Andrews, Smith and McMur-

try were appointed a committee to report upon the matter, with power to send for persons and papers.

Messrs. Smith, Wylie and Van Hagan were appointed to wait upon the Council and inform them that the House wa

organized. A communication was received from Secretary Meagher, informing the House that he had appointed John P. Bruce to execute the printing that would be required by the Legislature.

Mr. Mimms gave notice that he would introduce a bill for regulating the sale of mules and other animals, and one for creating the office of District Attorney in

On motion of Mr. Andrews, the House reconsidered the vote by which Mr. Mc. Cullough's resolution relating to the bribery of members was adopted. Ayes 13, noes 3. The resolution was then laid upon the table; ayes 16, noes 4, and subsequently taken therefrom and rejected. change, and promissory notes."

A committee from the Council, of which Mr. Chiles was Chairman, report- troduction of an act concerning corpor ed that that body would meet the House joint convention at 2 o'clock P M.

Mr. McCullough introduced a bill to repeal the law relating to trout fishing, ssed by the Banaack Legislature. Secretary Meagher, notifying the House that each member would be furnished

with six copies of the Gazette and six copies of the Democrat per week.

After considerable discussion upon a resolution relating to the printing of the Clerk's record, it was withdrawn because Secretary Meagher desired to communi-

cate his views. The House then adjourned.

AFTERNOON SESSION. The House met at 1½ o'clock P. M. Speaker Mayhew in the chair.

The Speaker announced the following Committees: Ways and Means—Buck, Blakely and Gorham. Judiciary-McMurtry, McCullough and

Smith. Internal Improvements-Rogers, Owen Adopted. and Van Hagan. Finance-Gorham, McMurtry and

Blakely Public Lands-Owen, Gallaher and Jordan. Federal Relations-Rogers, McMurtry and McCullough.

Education-Mimms, Roach and John-Roads and Bridges-Andrews, Jordan nd Van Hagan. Towns and Counties-VanHagan, Buck

and McManus. Military Affairs-Donegan, Essler and Van Hagan. Incorporations-McCullough, Wylie

and Smith.

Agriculture and Manufactures-Wyie. Clanton and Rhodes. Elections-Andrews, Blakely and Don-Indian Affairs-Johnson, Owen and

Wylie. Mines and Minerals-Rhodes, Donegan and Essler. Engrossment and Enrollment-Smith,

Rogers and Clanton.

Enrollment-Donegan, Johnson and Wylie Printing-Andrews, McManus and Blakely.

On motion of Mr. Buck of Jefferson, one hundred copies of the list of the son of Missoula. committees was ordered to the printed for the use of members. On motion of Mr. — of —, Mr, Brown of Beaverhead was allowed to

have a seat in the House while he is contesting the right of Mr. Essler to the same At 2 o'clock the Council entered the House, and President Bagg assumed the chair of the joint convention.

Governor, and inform him that the two houses were assembled in joint session. They returned with Governor Smith, who delivered his message, which may be found in the Post. On motion of Mr. Waterbury of Eded. Yeas 21, nays 12. having suggested that this vote was ille-

the table. At 3 o'clock P. M., on motion of Speaker Mayhew, the convention dissolved. On motion of Mr. Smith of Beaverhead, two thousand copies of the Governor's message were ordered to be printed for

the use of the House. On motion of Mr. Mimms, the Governor's message was specially assigned for consideration at 2 o'clock P. M. on the

Council. The Council met pursuant to adjournment, at 10 o'clock p. m. Roll called and all present. Record of the previous day read and approved.

The President announced the Standing Committees as follows: Ways and Means—Waterbury, Brown and Wilson.

Judiciary-Spratt, Wilkinson and Phelps. Internal Improvements-Tuttle, Moore

and Orr. Public Lands-Moore, Brown and Chiles. Federal Relations-Orr, Lowry and

Spratt. Education-Chiles, Lowry and Gal-Towns and Counties-Wilson, Gallo-

Military Affairs-Lowry, Moore and Chiles. Incorporations-Brown, Phelps and

Indian Affairs-Lowry, Brown and Moore. Mines and Minerals-Galloway, Phelps

and Spratt. Engrossment - Phelps, Chiles and Wilson. Enrollment-Chiles, Waterbury and Wilkinson. Printing - Wilkinson, Wilson and

Brown.

Mr. Chiles gave notice that on to-mor-row, or some subsequent day, he would mines and minerals. introduce a bill entitled "An Act to regulate and license foreign miners.'

Council took a recess until 11 p. m. AFTERNOON SESSION.

The Council met pursuant to adjournment. Roll called and all present. On motion of Mr. Chiles, the ladies of this city were invited to attend the deliberations of the Council and be allow-

ations, commonly known as a general incoporation act.

The Council then adjourned to meet in the hall of the House at 2 o'clock p. m., for the purpose of a joint convention A communication was received from to receive the message of the Governor. Upon the adjournment of the joint convention, the Council assembled in

their Hall and was again called to order by the President. Roll called and all present On motion of Mr. Moore, a committee of three was appointed to confer with a committee of the House, to prepare and recommend a series of joint rules for the

government of the convention. The President appointed Moore, Phelps and Brown such committee. Mr. Spratt offered the following reso

lution: Resolved, by the Council, the House concurring, That a committee of two from the Council and three from the House, be appointed, whose duty it shall be to consider the propriety of adopting a civil practice act for this Territory

Carried Mr. Chiles moved a suspension of the rules. Carried. The resolution was then read and

Mr. Spratt moved a reconsideration.

passed to the second reading by its title, and the third reading being had the same was passed by a vote of twelve yeas to one nav. On motion of Mr. Waterbury the Council declared in favor of another

On motion of Mr. Waterbury, Marshall Orr was unanimously elected second page to the Council. On motion the, Council adjourned to 10 a. m. to-morrow.

THIRD DAY-NOV. 7. The House convened at 10 o'clock a. m., speaker Mayhew in the chair.

The journal was read and approved. Mr. Mimms, from the Committee on Rules, reported in favor of the adoption of those used by the second Legislature, with a few amendments. The House then went into Committee

lough in the chair. After making some changes, the report was adopted and the committee rose, on motion of Mr. John-The House then adjourned at 12 m.

AFTERNOON SESSION. The House met at 2 o'clock p. m. speaker Mayhew in the chair.

Mr. Mimms introduced a bill regulating the sale of mules, horses and other

animals, and requiring autioneers to

keep a registry of the same. It was referred to the Committee on the Jundi-On motion of Speaker Mayhew, Messrs. Mayhew, Rogers and Waterbury were Mr. Mimms also introduced a bill de appointed a committee to wait upon the fining the duties of attorneys for each county, and providing for their election. Referred to the Committee on the Judiciary.

On motion of Mr. Donegan, it was

voted that the Secretary of the Territory, be required to furnish a list of the gerton, two thousand copies of the Governor's message was ordered to be printegisla ure. On motion of Mr. Johnson, the Secretary was directed to furnish a copy of gal, because each branch should act upon the votes cast at the late election. the question, the matter was laid upon

> House appointed the Committee on Judiciary to act with the Committee of the Council in framing a civil practice act.
>
> The report of A. H. Banet, Superintendent of Public Instruction, was received and read, and referred to the

Committee on Education.

On motion of Mr. McCullough, the

The reports of John S. Rockfellow, Territorial Treasurer, and John H. Ming, Auditor, were received, read and referred to the Committee on Finance, and 100 copies of each were ordered printed. On motion of Mr. Mimms, Messrs.

pointed a committee to act with that of the Council, and prepare rules for the action of joint committees. Mr. Donegan presented a petition in favor of a general incorporation act, which was referred to the Committee on

Mimms Smith and Rogers were ap-

Incorporations. House adjourned to meet at 7

o'elock p. m.

Council. Council met at the usual hour. Journal read and approved. Reports were made by several committees.

The following notices of the introduction of bills were given: By Mr. Williamson. An Act to authorize County Collectors not to receive Territorial scrip for county taxes. An Act authorizing the Territorial Treasurer to receive from the Treasurer of Edgerton county the amount of Territorial scrip received from his predecessor Agriculture—Moore, Tuttle and Orr.
Elections—Galloway, Lowry and rial scrip received from his predece in payment of county taxes, etc. Act to repeal that part of the jury law which requires the County Commission-

ers to pay jurors in civil cases.

By Mr. Chiles. An Act concerning landlords and tenants. By Mr. Phelps. An Act concerning

fences and fence viewers. By Mr. Orr. An Act defining judicial districts, etc. Mr. Chiles introduced C. B. No. 1, an Act to regulate and license foreign miners. Read first and second times, ordered

A resolution introduced by Mr. Orr, was passed, allowing each member such On motion of Mr. Waterbury, the papers as he might designate to the Sec On motion of Mr. Chiles, the Gover-

printed and referred to the committee on

der for the afternoon. AFTERNOON SESSION. Council in committee of the whole upon the Governor's message, with Mr. Chiles in the chair.

nor's message was made the special or-

WHOLE NO. 116.

EVENING SESSION.

Wednesday, Nov. 7.

The House met at 7 o'clock P. M. peaker Mayhew in the chair. On motion of Mr. McMurtry the re-ports of the Treasurer and Auditor were ordered to be returned by the Committee on Printing, and the same on motion of

Johnson, were laid on the table. At 71 o'clock the House resolved itself into a committee of the whole, Mimms

in the chair. The Clerk then read the Governor's message, sections of which were assigned to appropriate committees.

Speaker Mayhew made an elaborate

argument, in which he criticised the Governor's remarks regarding Choteau county. The committee rose at 9 o'clock, and

the House adjourned.

FOURTH DAY-NOV. 8. The House met at 10 o'clock A. M. Speaker Maybew in the chair. On motion of Mimms the rules of last

session governing joint committees were adopted, and fifty copies ordered to be

Notice was given of the introduction of the following bills:
By Johnson, a bill to change the county seat of Missoula to Missoula Mills, and to legalize the action of the County Commissioners in relation thereto; also an

Act to amend the license law. By McMurtry, a bill to repeal an Act prohibiting the pasturing of stock on winter grass land in Deer Lodge county. By McCullough, a bill relating to As-

By Esler, a bill relating to roads and road taxes. By Mimms, a bill to suppress gaming,

and another to protect possessory right upon the public domain of Montana. By Smith, a bill to locate a road from

Helena to the Salt Lake road. By Blakely, a bill to change the county seat of Gallatin, and one to authorize the construction of a ferry on Sun river, at the old Mullan crossing.

Mr. Buck introduced a bill to author-

ize R. W. Anderson to construct a ferry across the Missouri river. Referred to Committee on Incorporations. of the Whole on the report, Mr. McCul-Mr. McMurtry gave notice of a bill to provide for the collection of

Mr. Van Hagan gave notice of a bill to change the name of Muscleshell county to Vivion, and the county seat to Smithton. On motion of Mr. Wylie, Messrs. Wy-

lie, Mimms and McManuz, were appointed to draft a license act. The Council bill No. 4, relating to the officers of County Commissioners and

time and passed The House adjourned at 12 M. AFTERNOON SESSION-NOV. 8. The House met at 2 o'clock p. m. peaker May hew in the chair. House bill No. 1, relating to trout fishing was considered in Committee of

vacancies in the Board was read a third

the Whole and passed to a third reading. Most of the afternoon was occupied in debates upon parliamentary rules.

An animated discussion took place rearding a communication from Secre Meagher, which was addressed to the

The House adjourned at 4 o'clock.

clerk instead of the speaker.

Council. FOURTH DAY-NOV. 8. President called the Council to order at 10 o'clock A. M. Moore, chairman of the committe on

joint rules for the House and Council reported. Galloway gave notice that on to-morrow, or at an early day, he would intro-duce a bill changing the time of appraising the value of real or personal property. Lowry gave notice of the introduction

of a bill prohibiting certain games.

Brown gave notice of the introduction of a bill concerning the institutions of suits in District and Justice's Courts. Phelps gave notice of a bill to incorporate the Beaverhead county gold and silver mining and manufacturing company. Chiles gave notice that he would introduce a bill authorizing George Hum-

phrey and William Alison to construct a

ditch and take water therefor from the

waters of the Deer Lodge.

Phelps introduced C. B. No. 4, read first and second time by its title. Thereupon Chiles moved that the rules be sus pended, which was done, and the bill passed to its third reading. Lowry offered the following resolution: That the Secretary of the Territory, members of the House of Representatives and

all ministers of the gospel, be admitted within the bar of the Council. Adopted. The Council adjourned. AFTERNOON SESSION.

President called the Council to order at 2 P. M. Chiles offered the following resolution: Resolved by the Council, the House concurring, That the Public Printer be and is hereby requested hereafter, to print daily proceedings of both houses on the

same slip of paper.
Waterbury moved that the Committee on Printing be instructed to request the Public Printer to exclude all advertisements and foreign matter from the published proceedings of the Council. The motion was adopted. Moore gave notice that he would in-

troduce a bill concerning jurors in civil Wilkinson gave notice that he would introduce a bill entitled an Act defining

the duties of the County Treasurer.
Galloway offered the following resolution: That our delegate in Congress be requested to use his influence to procure the establishment of a semi-weekly mail route, starting from the town of Deer Lodge, the county seat of Deer Lodge county, via Gold Creek, Flint Creek, the Missoula river to Beartown, and the establishment of a post office in Deer Lodge

The Council adjourned. the work are extranely fluited t